

रजिस्टर्ड नं० पी०/एस० एम० 14.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, वीरवार, 8 जून, 1978/18 ज्येष्ठ, 1900

हिमाचल प्रदेश सरकार

NIRVACHAN VIBHAG

NOTIFICATION

Simla-171002, the 30th May, 1978

No. 7-1/78-Elec.—In exercise of the powers conferred by section 60 of the Himachal Pradesh Panchayati Raj Act, 1968 (Act No. 19 of 1970), the Governor, Himachal Pradesh, proposes to make the following draft rules entitled as the Himachal Pradesh Gram Panchayat (Election) Rules, 1978, and the same are hereby published in the Official Gazette for the information of the general public and a notice is hereby given that these draft rules will be taken into consideration after 15 days from the date of publication in the Gazette.

If any person affected thereby desires to take any objection or has any suggestion to make regarding these draft rules, he can send the same to the Secretary to the Government of Himachal Pradesh, Election Department, before the expiry of the above period. The objections or suggestions, if any, so received, will be taken into consideration before finalizing these draft rules.

DRAFT RULES

PART I

1. Short title and commencement.—(1) These rules shall be called the Himachal Pradesh Gram Panchayat (Election) Rules, 1978.

(2) They shall come into force at once.

2. Definitions.—(1) In these rules, unless there is anything repugnant in the subject or context,—

- (a) “Act” means the Himachal Pradesh Panchayati Raj Act, 1968;
- (b) “authorised officer” means any person authorised by the Deputy Commissioner for the purposes of these rules;
- (c) “constituency” means a ward for the representation of which a Panch is or has been elected under these rules;
- (d) “Director of Elections (Local Bodies)” means any person who is appointed by the State Government to perform the functions of the Director of Elections (Local Bodies) for the purposes of these rules;
- (e) “election agent” means any person appointed in writing by a candidate at an election to be his election agent for the purposes of these rules with the written consent of such person;
- (f) “election” means the election of a Panch, Pradhan or Up-Pradhan of a Gram Panchayat;
- (g) “elector” means a person who is entered in Part-II of the Register of members maintained by the Gram Panchayat concerned under rules 5 and 6 of the Himachal Pradesh Gram Panchayat Rules, 1971;
- (h) “electoral roll” means the electoral roll prepared by hand, typed or cyclostyled from Part-II of the Register of members maintained by the Gram Panchayat concerned under rules 5 and 6 of the Himachal Pradesh Gram Panchayat Rules, 1971;
- (i) “form” means a form appended to these rules;
- (j) “polling personnel” means the person or persons appointed to conduct or to assist in the conduct of elections;
- (k) “Population” means the population of a village or area as determined on the basis of family register maintained under rule 5 of Himachal Pradesh Gram Panchayat Rules, 1971; and
- (l) “Returning Officer” means an officer appointed for the conduct of election and includes Assistant Returning Officer.

(2) Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

PART II

DELIMITATION OF CONSTITUENCIES (WARDS) AND PREPARATION OF ELECTORAL ROLLS OF GRAM SABHA

3. Delimitation constituencies (Wards).—As soon as the number of members of the Gram Panchayat of a Gram Sabha under sub-section (1) of section 9 of the Act is determined, the

Deputy Commissioner shall divide the Gram Sabha into Constituencies on the basis of the number of Panches to be elected. The delimitation shall be done on the basis of Family Register Part-I maintained by the Gram Sabha and a ward (constituency) having the largest accountage of scheduled caste population shall be reserved for scheduled caste candidate:

Provided that before issuing the final order delimiting the Constituencies, the Deputy Commissioner shall hear objections, if any, in respect thereof for which a public notice shall be given which shall not be less than seven days.

4. *Preparation of electoral rolls for Gram Sabha.*—The electoral roll for each constituency of the Gram Sabha shall be prepared in Hindi Devnagri Script in Form No. 1 appended to these rules before every general elections/bye-elections from the Register of members Part-II maintained by the Gram Panchayat concerned under the directions of the Deputy Commissioner.

5. *Inspection of electoral rolls.*—Two copies of the electoral roll of all the constituencies of a Gram Sabha, duly authenticated by the Deputy Commissioner or any other officer authorised by him in this behalf, shall be kept one at the office of the respective Gram Sabha for inspection of public and the other in the office of the Deputy Commissioner for record immediately after the date of issue of the notice of election programme and upto the date of poll. No fee for inspection of the electoral roll will be charged during this period from the public :

Provided that the electoral roll of all the constituencies of a Gram Sabha shall be available for inspection on any working day from 11 A.M. to 3 P.M. in the office of the respective Gram Sabha.

6. *Custody and disposal of papers.*—The copies of the constituency-wise electoral roll including the authenticated set of electoral roll of all the constituencies of a Gram Sabha, referred to in rule 5, other than the copies of the electoral roll, which have been used at the polling booth, shall be kept in the safe custody of the Deputy Commissioner or any other person authorised by him in this behalf. Copies of the electoral roll shall be retained till the electoral roll of all the constituencies of a Gram Sabha is revised and will be disposed of under the orders of the Deputy Commissioner:

Provided that the authenticated constituency-wise electoral roll shall not be disposed of till all the election petitions of the respective Gram Sabha are finally decided.

PART III

7. *Appointment of Returning Officer and Assistant Returning Officers.*—The Deputy Commissioner shall appoint a Returning Officer for conduct of election in respect of all the constituencies of a Gram Sabha. The Deputy Commissioner shall also appoint one or more Assistant Returning Officers who shall assist the Returning Officer in discharge of his duties in connection with the election. The Deputy Commissioner or the Returning Officer may assign to the Assistant Returning Officer any functions of the Returning Officer and in discharge of these functions, the Assistant Returning Officer shall exercise the same powers as the Returning Officer:

Provided that nothing in this rule shall prevent the appointment of the same person as Returning/Assistant Returning Officer for more than one Gram Sabha:

Provided further that nothing in this rule shall prevent the same person to act as Presiding Officer.

8. *Notification of Symbols.*—The Director of Elections (Local Bodies) shall specify, by notification in the Official Gazette, the symbols for allotment in the election.

9. Provision of Polling Stations.—(1) The Deputy Commissioner shall provide one or more polling stations but not more than three stations for a Gram Sabha and each such polling station shall have separate polling booth for each constituency. A list specifying the constituencies along with number of constituency-wise voters assigned to the polling booth shall be kept for free inspection of the public in the office of the respective Gram Sabha on any working day between the hours of 11 A.M. and 3 P.M. from the date of issue of notice of election programme and upto the date of poll. No person other than the voters assigned to a particular polling booth shall be permitted to cast his vote at such a polling booth :

Provided that no polling station should be located in a police station, hospital, temple and a place having religious significance.

(2) The limit of the polling station shall be the place specified for the purpose and 100 metres radius around it.

10. Appointment of Presiding Officer and Polling Personnel.—(1) The Deputy Commissioner shall appoint one Presiding Officer and the required number of Polling Officers for each polling booth in each polling station of a Gram Sabha.

(2) If a person appointed to perform the duties of a polling officer at a polling booth is found absent or refuses to act or becomes incapable of acting before or during the time of poll, the Presiding Officer shall appoint any other person available at the polling station to act as Polling Officer under intimation to the Deputy Commissioner :

Provided that the Presiding Officer before appointment a person shall satisfy himself that such a person has no relation or connection with any of the contesting candidates.

(3) The Presiding Officer shall, in addition to performing duties imposed upon him by these rules, be in general charge of all the arrangements at the polling booth and may issue orders as to the manner in which the persons shall be admitted to it and generally for the maintenance of law and order at or in the vicinity of the polling booth. It shall be the duty of each Polling Officer at a polling booth to assist the Presiding Officer in the performance of his functions.

11. Election programme.—(1) As soon as the notification under section 49 of the Act, calling upon the Gram Sabha to elect the Gram Panchayat is issued by the Government, the Deputy Commissioner shall frame a programme for election in a Gram Sabha specifying the date, time and place for:—

- (i) the filing of nomination papers;
- (ii) the scrutiny of nomination papers;
- (iii) the withdrawal of candidatures;
- (iv) the list of contesting candidates to be affixed;
- (v) the poll to be held, which shall not be less than 6 hours;
- (vi) the counting of votes; and
- (vii) the declaration of result of election.

(2) The election programme, in Form II shall be published not less than seven days before the first date specified in the election programme by pasting a copy at the office of the Deputy Commissioner, Tehsil Office, the office of Gram Sabha and at other conspicuous places, as the Deputy Commissioner may think fit. Due publicity may also be given in any other manner considered appropriate by the Deputy Commissioner.

(3) The Deputy Commissioner may at any time by an order, amend, vary or modify the election programme; provided that unless the Government directs otherwise, no such order shall invalidate any proceeding already taken before the date of order.

(4) The filing and scrutiny of nomination papers as also the withdrawal of candidature shall be done in accordance with the programme notified by the Deputy Commissioner under sub-rule (1) :

Provided that the nomination paper or withdrawal application shall be delivered on the day and hours fixed for the purpose :

Provided further that no nomination paper or notice of withdrawal shall be delivered on a public holiday or on any other day and time which is not specified in the election programme :

Provided also that no nomination paper or notice of withdrawal shall be delivered by any person other than the candidate or his proposer to the Returning Officer.

12. Nomination of candidates.—(1) Any person who is not disqualified under sub-section (5) of section 9 of the Act may be nominated as a candidate for election as Panch, Pradhan and Up-Pradhan; provided that on the date, time and place fixed under rule 11, he or his proposer delivers in person to the Returning Officer nomination paper on the prescribed form.

(2) The nomination of each candidate shall be made on a separate nomination paper in such one of the Forms III, IV and V, as may be appropriate, and must be signed by the proposer and subscribed by the candidate himself as assenting to the nomination :

Provided that in case of election of a Panch, the proposer shall be an elector of the same constituency and in case of Pradhan/Up-Pradhan of the Gram Sabha :

Provided also that not more than four nomination papers shall be presented by or on behalf of any candidate :

Provided further that a candidate belonging to a Scheduled Caste shall give a declaration in his nomination paper of the particular caste to which he belongs.

13. Deposits, return and forfeiture of security.—(1) Each candidate nominated under the provisions of rule 12 shall, at or before the time of delivery of his nomination paper, deposit or cause to be deposited a sum of Rs. 50 in case of Panch and Rs. 100 in case of Pradhan or Up-Pradhan and in the case of a Scheduled Caste candidate, a sum of Rs. 25 in case of Panch and Rs. 50 in case of a Pradhan or an Up-Pradhan with the Returning Officer in cash and no candidate shall be deemed to be duly nominated unless such deposit has been made.

(2) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made is not elected and the number of votes polled by him is less than one sixth of the total number of valid votes polled in the Constituency/Gram Sabha, as the case may be, the deposit shall stand forfeited to the State Government.

(3) The deposit in the following cases shall, by an order in writing of the Returning Officer be refunded to the candidate or where he is dead, to his legal representative:—

- (i) where the nomination paper of the candidate has been rejected; or
- (ii) where the candidate has withdrawn his candidature within the specified time; or
- (iii) where the candidate had died before the commencement of the poll; or
- (iv) where the candidate, though not elected, does not forfeit his deposit under sub-rule (5); or
- (v) where the candidate is elected :

Provided that where the security can not be refunded under unavoidable circumstances and also in case of forfeiture, the same shall be deposited with the deputy Commissioner alongwith the accounts.

14. Scrutiny of nomination papers.—(1) The Returning Officer shall examine the nomination papers at the time appointed in this behalf, hear objections, if any, presented by the objectors in person to the eligibility of any candidate and decide these objections after such enquiry, as he may consider necessary. The decision rejecting or accepting a nomination paper and a brief statement of reasons of rejection shall be endorsed on the nomination paper and signed by the Returning Officer :

Provided that the Returning Officer may—

- (a) permit any clerical error in the nomination paper in regard to names or numbers to be corrected in order to bring them in conformity with the corresponding entries in the electoral rolls, and
 - (b) where necessary, direct that any clerical or printing error in the said entries shall be overlooked.
- (2) The person objecting under sub-rule (1) must be an elector of the Gram Sabha.
- (3) The Returning Officer shall reject the nomination paper on the following grounds:—
- (i) if the nomination paper has not been signed by a proposer or the proposer was not an elector of the Constituency/Gram Sabha, as the case may be, at the time of scrutiny of the nomination paper;
 - (ii) if the nomination paper is not assented by the candidate or the signature of the candidate is not genuine;
 - (iii) if the provisions of rules 11 to 13 of these rules have not been complied with:

Provided that no nomination paper will be rejected where the candidate has either left blank the column of electoral roll number or has recorded incorrect number therein. The Returning Officer after being satisfied shall fill in or correct the number of the electoral roll in the nomination paper:

Provided further that no person except the candidate, his proposer and the other person duly authorised in writing by the candidate shall be permitted by the Returning Officer to attend the sorting of nomination papers on the date, place and time specified in the election programme.

Explanation.—For the purposes of these rules a person who is unable to write his name shall be deemed to have signed an instrument or any other paper if he has placed his thumb impression on such instrument or paper in the presence of the Returning Officer. Such an officer on being satisfied as to his identity shall attest the thumb impression of that person.

15. Withdrawal of candidature.—(1) Any candidate may withdraw his nomination by a notice in writing in form VI or VII, as may be appropriate, which shall be subscribed by him and delivered in person by the candidate or his proposer duly authorised by the candidate in writing to the Returning Officer before the expiry of the time allowed for the withdrawal of candidatures.

(2) No person who has given a notice of withdrawal under sub-rule (1) shall be allowed to cancel the withdrawal.

16. List of contesting candidates and allotment of Symbols.—(1) The Returning Officer, after the expiry of time fixed for withdrawal of candidature, shall prepare lists of contesting candidates

in Form VIII or IX, as may be appropriate, in alphabetical order in 'Hindi' in devnagri script showing the addresses of the contesting candidates as given in the nomination papers.

(2) After the lists of contesting candidates are prepared and the number of candidates is more than the number of seats, for which election is to be held, the Returning Officer shall allot one symbol according to the serial number in the lists of contesting candidates, out of the approved symbols in accordance with the serial number of the symbols specified in the notification under rule 8. No candidate shall be given a choice to select his own symbol.

(3) Immediately, after the allotment of symbols to the contesting candidates, the Returning Officer shall publish by pasting copies of such lists outside his office in form VIII or IX, as the case may be.

17. Declaration of result in uncontested elections.—If there is one contesting candidate for the election of Panch in a constituency or for the election of Pradhan or Up-Pradhan in a Gram Sabha, he shall be deemed to have been elected from that Constituency/Gram Sabha and his declaration of result shall be made immediately by the Returning Officer after the time fixed for withdrawal of candidature in Form X or XI, as the case may be and a copy of which shall be pasted outside his office. In a case where for a constituency or for the election of Pradhan or Up-Pradhan no nomination paper has been filed or no validly nominated candidate exists, the Deputy Commissioner shall prepare another election programme for that constituency or for the election of Pradhan or Up-Pradhan, as the case may be, under rule 11 for filling up the vacancy.

18. Death of candidate before poll.—If a contesting candidate for the office of the Panch, Pradhan or Up-Pradhan, as the case may be, dies and a report of his death is received by the Returning Officer before the commencement of the poll, the Returning Officer shall contermend the poll in respect of the office for which he was a candidate and report the fact to the Deputy Commissioner and all proceedings with reference to the election to the said office shall be commenced a fresh in all respect as if for a new election:

Provided that no fresh nomination shall be necessary in the case of a candidate whose name is entered in the list of contesting candidates published under rule 16.

19. Method of voting.—At every election where a poll is taken, voting shall be by secret ballot and under the marking system of voting :

Provided that votes shall be cast in person and shall not be received by proxy.

20. Ballot papers.—(1) Every ballot paper at an election shall be of such design as the Director of Elections (Local Bodies) may specify.

(2) The required number of ballot papers to each Presiding Officer appointed for a polling booth shall be supplied against proper receipt and a proper account of the ballot papers so issued shall be kept.

(3) The Presiding Officer shall keep an account of the ballot papers supplied to him for use at the polling booth separately for each election in form XII or XIII or XIV, as the case may be.

21. Material to be supplied at each polling station.—The Deputy Commissioner shall provide at each polling station:—

- (i) sufficient number of ballot boxes;
- (ii) constituency-wise required number of ballot papers for the election of Panches, Pradhan and Up-Pradhan separately;

- (iii) three copies of the electoral roll pertaining to the constituency ;
- (iv) arrow cross marks rubber stamps for marking ballot papers ;
- (v) Presiding Officers seal ; and
- (vi) other election material required at the polling station.

22. Ballot box.—Godrej type ballot box shall be used during election under these rules.

23. Appointment and revocation of election agents.—(1) A candidate may appoint any person as his election agent in writing with the consent of the person so appointed by him, to work on his behalf as his election agent during polling and counting of votes and shall give a notice of such appointment to the Returning Officer or Presiding Officer as the case may be ;

Provided that not more than one election agent for an election shall be appointed by a candidate :

Provided further that at the polling station or place of counting of votes either the candidate or his election agent can be present at a time.

(2) The candidate may revoke the appointment of his election agent at any time for which a notice in writing shall be given by him to the Returning Officer or Presiding Officer, as the case may be.

24. Right to vote —No person other than such person whose names are for the time being entered in the electoral roll of the constituency shall be entitled to cast his vote at an election and no person shall vote more than once, notwithstanding that his name may have been entered in the electoral roll for constituency more than once.

25. Procedure before commencement of poll.—Immediately before the commencement of the Poll, the Presiding Officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remains open and shall allow the candidates or the election agents present to affix, if they so desire, their seals.

(2) Every ballot box used at a polling booth shall bear labels, both in and outside, marked with—

- (a) the serial number, if any, and name of the constituency ;
- (b) the serial number and name of polling station ;
- (c) the serial number of ballot box (to be filled in at the poll on the label outside the ballot box) only ; and
- (d) the date of poll.

(3) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the candidates and election agents and other persons present that the ballot box is empty and bears the labels referred to in sub-rule (2).

(4) The ballot box shall then be closed, sealed and secured and placed in full view of the Presiding Officer, the candidates and the election agents.

26. Commencement and close of poll.—The poll shall commence and close at the time fixed for this purpose under rule 11 ;

Provided that all the electors present at the polling station before the close of the poll shall be entitled to cast their votes.

27. Admission to Polling Station —The Presiding Officer shall regulate the number of electors to be admitted at any one time inside the polling booth and shall exclude therefrom all persons other than:—

- (a) Polling Officers;
- (b) candidates, their agents;
- (c) persons authorised by the Deputy Commissioner;
- (d) Public servants on duty in connection with election;
- (e) a child in arms accompanying an elector, companion of blind or infirm elector who cannot move without help; and
- (f) Director of Elections (Local Bodies) or such other persons as may be authorised by him.

28. Voting Procedure.—(1) As soon as the elector enters the polling booth, the polling Officer in-charge of the electoral roll shall ascertain the elector's name and address and such other particulars as appear on the electoral roll by reading the same loudly so that the candidates or their election agents may listen the particulars, and if there is no challenge as regard to the identity of the elector, the ballot paper shall be supplied to the elector and at the time of delivery of ballot paper, the serial number of the elector in the electoral roll shall be recorded in the counter-foil of the ballot paper and entry in the marked copy of electoral roll shall be underlined.

(2) No other person in the polling booth shall note down the serial number of ballot paper issued to a particular elector.

(3) Every ballot paper before issue to an elector shall be signed by the Presiding Officer in full with date on its back.

(4) The elector on receiving the ballot paper shall forthwith—

- (a) proceed to the voting compartment;
- (b) make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol of the candidate for whom he intends to vote;
- (c) fold the ballot paper so as to conceal his vote;
- (d) insert the folded ballot paper into the ballot box; and
- (e) quit the Polling booth.

(5) Every elector shall vote without delay.

(6) No elector shall be allowed to enter voting compartment when another elector is inside it.

(7) Similar procedure for the election of Pradhan and Up-Pradhan shall be followed.

29. Casting of vote by blind or infirm voters.—(1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity an elector is unable to recognise the symbol on the ballot paper or to make a mark thereon without assistance, the Presiding Officer shall permit the elector to take with him a companion of not less than eighteen years of age to the Voting compartment for recording the vote on the ballot paper on his behalf and in accordance with his wishes, and if necessary, for folding the ballot paper so as to conceal the vote and inserting it into the ballot box:

Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day:

Provided further that before any person is permitted to act as the companion of an elector on any day under this rule, the person shall be required to declare in writing that he will keep secret

the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any polling station on that day.

(2) The Presiding Officer shall keep a brief record of all such instances.

30. Spoilt and returned ballot paper.—(1) An elector who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it to the Presiding Officer and on satisfying him of the inadvertence, be given another ballot paper and the ballot paper so returned shall be marked "spoilt", "cancelled" by the Presiding Officer.

(2) If an elector after obtaining a ballot paper decides not to use it, he shall return it to the Presiding Officer and the ballot paper so returned shall be marked as "Returned : cancelled" by the Presiding Officer.

(3) All ballot papers cancelled under sub-rule (1) or sub-rule (2) shall be kept in a separate packet.

31. Tendered Votes.—(1) If a person representing himself to be a particular elector applies for a ballot paper after another person has already voted as such elector, he shall on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be entitled, subject to the following provisions of this rule to mark a ballot paper in the same manner as any other elector.

(2) Every such person, shall before being supplied with a tendered ballot paper, sign his name against the entry relating to him in the list in form XV.

(3) A tendered of ballot paper shall be the same as other ballot paper used at the polling except that it shall be—

- (a) serially the last in the bundle of ballot papers issued for use at the Polling, and
- (b) endorsed on the back with the words "tendered ballot paper" by the Presiding Officer in his own hand and signed by him.

(4) The elector after marking tendered ballot paper in the voting compartment and folding it, shall instead of putting in into the ballot box, give it to the Presiding Officer, who shall place it in a cover specially kept for the purpose.

32. Challenged Votes.—Where the identity of a person intending to cast his vote has been challenged by the candidate or his agent the Presiding Officer will make suitable enquiry and if he is satisfied with correctness of the fact of challenge he will not allow such person to cast his vote. The presiding Officer shall in every case, whether or not the person challenged, is allowed to vote, make a note of the circumstances in the list of challenged votes in Form XVI.

33. Sealing of ballot boxes after poll.—(1) As soon as practicable after the closing of the poll the presiding Officer shall close the slit of the ballot box and seal up the slit and also allow the candidates or agents present to affix their seals.

(2) The ballot box shall there after be sealed and secured.

(3) Where it becomes necessary to use a second ballot box by reasons of the first ballot box getting full, the first box shall be closed, sealed and secured as provided in sub-rules (1) and (2) before another ballot box is put into use.

34. Sealing of Record.—The Presiding Officer, at the conclusion of the poll shall keep the following papers in separate covers, which shall keep the following papers in separate covers, which shall be sealed:—

- (1) marked copy of electoral roll;
- (2) other copies of electoral roll;
- (3) list of tendered votes and tendered ballot papers;
- (4) list of challenged votes;
- (5) ballot paper account(s);
- (6) unused ballot papers with counterfoil;
- (7) cancelled ballot papers;
- (8) counterfoil of use ballot papers; and
- (9) other miscellaneous record prepared by the Presiding Officer, including appointment of agents etc. or any other record/document prepared under the directions of the Director of Elections (Local Bodies).

35. Adjournment of poll in emergencies.—(1) If at an election the proceedings at any polling station are interrupted or obstructed by riot or open violence or if at an election it is not possible to take the poll at any polling station on account of any natural calamity or any other sufficient cause, the Returning Officer or the Presiding Officer, as the case may be, shall announce an adjournment of the poll to a date to be notified later and shall forthwith send a report to the Deputy Commissioner.

(2) Where a poll is adjourned under sub-rule (1) the Deputy Commissioner shall, as soon as may be, appoint the day on which the poll shall recommence and fix the polling station at which and the hours during which the poll will be taken and the votes cast at such election shall not be counted until such adjourned poll is completed.

(3) In every such case as aforesaid, the Deputy Commissioner shall affix a notice specifying the date, place and hours of polling fixed under sub-rule (2) at his office, tehsil office, Gram Sabha Office and other conspicuous places as may be considered fit.

36. Fresh poll in the case of destruction etc. of ballot boxes.—(1) If at any election any ballot box or boxes is or are unlawfully taken out of the custody of the Presiding Officer or Polling Officer or is or are in any way tampered with, or is or are either accidentally or intentionally destroyed, lost or damaged the polling at that polling station to which such ballot box or boxes relate shall be liable to be declared as void.

(2) Whenever the polling at any polling station becomes liable to be declared as void under sub-rule (1), the Presiding Officer shall, as soon as may be practicable, after the act or event causing such voidance has come to his knowledge, report the matter to the Deputy Commissioner through the Returning Officer who in the event of his being so satisfied that in consequence thereof the result of the poll of that polling station cannot be ascertained, declare the election void and shall appoint a day for taking of fresh poll in such or every such polling station and the hours during which the poll will be taken and shall not count the votes cast at such election until such fresh poll has been completed.

(3) The provisions of these rules shall apply to every such fresh poll as they apply to the original poll.

PART IV

COUNTING OF VOTES AND DECLARATION OF RESULTS

37. Procedure before commencement of counting.—In accordance with the date and time specified for the counting of votes in the election programme under rule 11, the Returning Officer shall start the counting of votes under the rules provided hereinafter for the purpose.

38. Admission to the place of counting.—No other person except the following shall be allowed inside the place of counting:—

- (i) officers and staff who are required to assist the Returning Officer during the counting of votes;
- (ii) persons authorised by the Director of Elections (Local Bodies) or the Deputy Commissioner;
- (iii) public servants on duty in connection with the elections; and
- (iv) candidates or their election agents:

Provided that any of the election agent may be required, by the Returning Officer for his satisfaction to produce before him the appointment letter made by the candidate under rule 23.

39. Procedure for counting of votes.—the Returning Officer on the date, time and place fixed under rule 11, shall start the counting of votes in the following manner:—

- (i) take out the ballot box constituency-wise according to serial number and allow an opportunity to candidates or their election agents to inspect the ballot boxes and the seals to satisfy themselves that they are intact;
- (ii) after each ballot box is opened, the candidates or the election agents, who may be present, shall be allowed to inspect the ballot box and satisfy themselves that it bears the proper labels inside the ballot box;
- (iii) the ballot papers in each box will be taken out and the empty box be shown to the candidates or the election agents for their satisfaction that no ballot paper has been left in the box; and
- (iv) the ballot papers taken out of each box shall be sorted out separately and the ballot papers of Panches shall be retained on the same table and ballot papers of Pradhan and Up-Pradhan after tallying with the ballot paper account shall be passed on to the table meant for the counting of votes for Pradhan and Up-Pradhan, along with the ballot paper accounts.

40. Scrutiny and rejection of ballot papers.—(1) The Returning Officer shall reject a ballot paper:—

- (a) if votes are given in favour of more than one candidate;
- (b) if it bears any mark, or writing by which the elector can be identified; or
- (c) if no vote is recorded thereon; or
- (d) if the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate the vote has been given; or
- (e) if it is spurious ballot paper or
- (f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
- (g) if it bears a serial No. or is of a design, different from the serial number or, as the case may be, design of ballot paper authorised for use at the polling station:

Provided that a ballot paper shall not be rejected merely on ground, that the mark indicating the vote is in distinct of made more than once, if the intention, that the vote shall be for particular candidate clearly appears from the way the paper is marked.

(2) The Returning Officer before rejecting any ballot paper under sub-rule (1) shall allow each candidate and the election agent present, a reasonable opportunity to inspect the ballot paper but shall not allow him to handle it or any other ballot paper.

(3) The Returning Officer shall record on every ballot paper which he rejects the letter "R" and the grounds of rejection in brief in his own hand with his initial.

(4) All ballot papers rejected under this rule shall be handled together:

Provided that no cover containing tendered ballot paper shall be opened and no such ballot paper shall be counted.

41. Recount of votes.—(1) The Returning Officer after signing the ballot paper account shall announce the total number of votes polled by each candidate and pause for a while.

(2) After such announcement has been made a candidate or in his absence his election agent may apply in writing to the Returning Officer for a recount of all or any of the ballot papers already counted stating the grounds on which he demands such recount.

(3) On such an application being made, the Returning Officer shall decide the matter and may allow the application in whole or in part or may reject it *in toto* if it appears to him to be frivolous or unreasonable and the decision of the Returning Officer in this behalf shall be in writing and contain the reason thereof.

(4) If the Returning Officer decides under sub-rule (3) to allow an application either in whole or in part he shall count the ballot papers again in accordance with his decision; amend Part II of ballot paper account in Form XII or Result Sheet in Form XVII as the case may be, to the extent, if necessary, after such recount; and announce the amendment so made by him.

(5) The Returning Officer shall thereafter complete and sign the declaration in Part III of the ballot paper account in Form XII or Part II of the Result Sheet in Form-XVII as the case may be, no application for any recount shall be entertained, thereafter.

42. Declaration of Result.—(1) In the case of an election of Panch, the Returning Officer shall on the basis of ballot paper account, fill in the declaration in Form X and declare elected the candidate who is found to have secured largest number of valid votes. A copy of the declaration duly signed shall be sent to the Deputy Commissioner, as soon as possible. One copy of the ballot paper account in Form XII duly signed shall be affixed conspicuously at the place of counting:

Provided that where an equality of votes is found to exist between any candidates and the addition of one vote will entitle a candidate to be declared elected, the Returning Officer shall forthwith decide by lot and proceed as if the candidate on whom the lot falls, has received one additional vote.

(2) After completion of the counting of votes in respect of all the constituencies, of a Gram Sabha, the counting of votes of Pradhan/Up-Pradhan shall be taken up by the Returning Officer in the same manner as laid down in sub-rule (1):

Provided that the result of counting shall be recorded in Form XVII a copy of which shall be affixed conspicuously at the place of counting and result shall be declared in Form XI.

43. Sealing of record after declaration.—(1) After the result is declared, the Returning Officer shall keep candidate-wise valid ballot papers in bundles together and kept along with the bundle of rejected ballot papers in a separate packet outside which the particulars of such document shall be recorded i.e. the name of Gram Sabha, place and date of counting and in the case of election of a Panch, the name or number of constituency also, and shall be sealed with his seal.

44. Delivery of election papers.—The Returning Officer shall after completion of election, deliver all record relating to the elections of a Gram Sabha to the Deputy Commissioner or any other person authorised by him in writing for this purpose.

45. Notification of election.—The Deputy Commissioner after receipt of declaration shall notify the names of all the elected Panches or Pradhan and Up-Pradhan of the Gram Sabha.

46. Election to more than one seat.—If a person is elected to more than one seat or office he shall resign from all other seats or offices except one by writing under his hand addressed to the Deputy Commissioner.

PART V

GENERAL

47. Filling up of casual vacancies.—When a vacancy occurs among the Panches or Pradhan or Up-Pradhan of the Gram Panchayat by death, resignation or removal and a new Panch, Pradhan or Up-Pradhan has to be elected in his place in accordance with the provisions of section 11 of the Act, such election shall be conducted in the manner as prescribed in these rules for a general election and the programme of the election shall be framed as soon as may be convenient, after the occurrence of the vacancy.

48. Maintenance of Law and Order.—The Deputy Commissioner shall make suitable arrangements and provide necessary security to maintain law and order at each polling station/place of counting. Such security staff provided at the polling station/place of counting shall act under the directions and control of the Presiding Officer/Returning Officer. The Presiding Officer or the Returning Officer shall be responsible for the maintenance of law and order within the Limits of the polling station/place of counting, as the case may be. Any person who creates any interruption during the polling/counting or misbehaves and does not abide by the directions of the Presiding Officer or the Returning Officer, as the case may be, is liable for removal from such a place.

49. Prohibition of canvassing in or near polling stations.—No person shall, 12 hours before the commencement of the poll and during the polling hours on the date on which a poll is taken at any polling station, commit any of the following acts within the polling station or in any public or private place within a radius of one hundred metres of the polling station:—

- (a) canvassing for votes; or
- (b) soliciting the vote of any elector; or
- (c) persuading any elector not to vote for any particular candidate; or
- (d) persuading any elector not to vote at the election; or
- (e) exhibiting any notice or sign (other than an official notice) relating to the election.

50. Superintendence, control and direction.—The Panchayat elections shall be conducted under the superintendence and control of the Director of Elections (Local Bodies), Himachal Pradesh. He shall issue directions in this behalf as he may consider appropriate. In case there is any doubt or dispute regarding interpretation of these rules, the decision of the Director of Elections (Local Bodies), Himachal Pradesh, shall be final.

51. Requisitioning of premises, vehicles etc. for election purposes.—If it appears to the Deputy Commissioner that in connection with an election held within his jurisdiction—

- (a) any premises are needed or likely to be needed for the purpose of being used as a polling station or for the storage of ballot boxes after a poll has been taken, or
- (b) any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport of ballot boxes, police force for maintaining order during the conduct of such election or transport of any officer or other person for performance of any duties in connection with such election;

the Deputy Commissioner may by an order in writing requisition such premises, or such vehicle, vessel or animal, as the case may be, and may make such further orders as may appear to him to be necessary or expedient in connection with the requisitioning.

52. Custody, production and inspection of election papers.—(1) The Deputy Commissioner or any other officer authorised by him for this purpose shall keep in safe, custody the counterfoils of used ballot papers, the packets of unused ballot papers along with their counterfoils, the packets of used ballot papers whether valid, tendered or rejected and all other papers relating to elections. While in the custody of the Deputy Commissioner or the person authorised by him—

- (a) the packets of the counterfoils of used ballot papers;
- (b) the packets of unused ballot papers;
- (c) the packets of used ballot papers valid, rejected or tendered; and
- (d) the packets of marked copy of the electoral roll;

shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under the order of the prescribed authority for election petitions.

(2) All other papers relating to the election shall be open to public inspection and any person may apply for such an inspection or supply of certified copy thereof on payment of a fee at the same rate as is charged in Himachal Pradesh for the inspection of documents forming part of a record of a case dealt with by a Revenue Officer or for supply of a copy of an order by a Revenue Officer, as the case may be, and such copies shall be supplied in accordance with the procedure to be followed for a similar application in respect of a case dealt with by a Revenue Officer.

53. Preservation and disposal of election papers.—The packets of the counterfoils of used ballot papers, the packets of unused ballot papers, the packets of used ballot papers, whether valid, tendered or rejected, and all other papers relating to the elections shall be retained in safe custody until the expiry of six months from the date of notification of the result of election under rule 45 and thereafter be disposed of under the orders of the Deputy Commissioner in such a manner as he may deem fit:

Provided that if an election petition is filed, the packets and other papers referred to in this rule shall not be destroyed unless the petition is finally disposed of.

54. Appointment of officers to perform the functions of the Deputy Commissioner.—If on account of illness, absence from headquarters or any other reason the Deputy Commissioner is unable to perform any or all of his functions under these rules, he may by order in writing appoint any officer to perform any or all of his functions on his behalf.

ELECTION PETITIONS

55. Presentation of election petition.—(1) The election petition under section 168 of the Act shall be presented to the Sub-Divisional Officer (Civil) under whose territorial jurisdiction

of the Sabha area is situated. The time limit for the presentation of an election petition under the aforesaid section shall be reckoned from the date of notification under rule 45, as the case may be.

(2) The petitioner shall enclose with the petition copies of the petition and of its enclosure, equal to the number of respondents.

(3) An intimation about the presentation of the petition shall be sent by the Sub-Divisional Officer (Civil) to the Deputy Commissioner, immediately after the petition is presented.

56. Contents of election petition.—(1) The petitioner shall set forth in the petition all the grounds on which the election is challenged and such other particulars as have been laid down in section 169 of the Act.

(2) The affidavit referred to in the proviso to section 169 (1) of the Act shall be in Form XVIII and shall be sworn before a Magistrate.

57. Security deposit to be made with the petition.—At the time of presenting an election petition, the petitioner shall deposit a sum of Rs. 200/- as money in the Government Treasury or Sub-Treasury under the appropriate head of account in the name of the Sub-Divisional Officer (Civil) to whom the petition is presented, or caused to be presented, in order to meet the cost that may become payable under section 182 of the Act.

58. Power to withdraw and transfer petitions.—The Deputy Commissioner may at any stage, in accordance with the procedure laid down in section 169 of the Act, with the transfer any election petition pending before any Sub-Divisional Officer (Civil) to any other officer in his district, exercising the powers of Executive Magistrate for trial.

59. Dismissal of petition.—(1) If the provision of section 169 or section 170 of the Act and rule 56 or 57 have not been complied with, the Sub-Divisional Officer (Civil) shall pass an order dismissing the election petition and such orders shall be final:

Provided that the petition shall not be dismissed without giving the petitioner an opportunity of being heard.

(2) A copy of the order dismissing the petition shall be sent to the Deputy Commissioner, immediately.

60. Withdrawal of petition.—(1) An election petition may be withdrawn by the petitioner only by leave of the Sub-Divisional Officer (Civil) to whom the petition has been presented.

(2) When an application for withdrawal is made, a notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition and shall be published by being posted at the Office of the Sub-Divisional Officer (Civil) and at the Gram Panchayat office.

(3) No application for withdrawal shall be granted, if in the opinion of the Sub-Divisional Officer (Civil) such application has been induced by any bargain or consideration which ought not to be allowed.

(4) If the application is granted—

(a) the petitioner shall, where the application has been made to the Sub-Divisional Officer (Civil), be ordered to pay the costs of the respondent theretofore incurred or such portion thereof as the Sub-Divisional Officer (Civil) may think fit;

- (b) notice of the withdrawal shall be published by being posted at the Office of the Sub-Divisional Officer (Civil) and at the Gram Panchayat Office; and
(c) the facts shall be reported to the Deputy Commissioner.

61. Place and procedure of enquiry.—(1) The place of enquiry shall be the headquarters of the Sub-Divisional Officer which the Sabha area is comprised:

Provided that the Sub-Divisional Officer (Civil) concerned may, on being satisfied that special circumstances exist rendering it desirable that the enquiry should be held elsewhere, fix some other convenient place for this purpose.

(2) The public shall have free access to the place where the enquiry into an election petition may be held.

(3) Notice of the time and place of enquiry shall be given to the parties not less than seven days before the first date of the hearing.

(4) Subject to the provisions of the Act and the rules, contained in this chapter, where an election petition has not been dismissed under section 170 of the Act or rule 59 every election petition be enquired into expeditiously in accordance with the procedure applicable under the Code of Civil Procedure, 1908 for the trial of suits.

62. Communication of orders of petition.—The Sub-Divisional Officer (Civil) concerned, shall as soon as may be, after conclusion of the trial of the election petition send to the Deputy Commissioner, a copy of the decision under sections 179, 180, 181 and 182 of the Act.

63. Repeal and savings.—The Himachal Pradesh Gram Panchayat (Election) Rules, 1972, and the Himachal Pradesh Nyaya Panchayat (Election) Rules, 1973 are hereby repealed:

Provided that any direction, given or order made or action taken under the rules so repealed shall be deemed to have been made under the corresponding provisions of these rules to the extent it is not inconsistent with these rules.

FORM I

(See rule 4)

ELECTORAL ROLL—197

Constituency (Ward number and name).....Gram Sabha.....
Block.....Tehsil/Sub-Tehsil.....
District.....

Sl. No.	Entry No. in the family register Part II	House No. or name	Name of elector	Father/Husband/Mother's name	Sex	Approximate age as on 1-1-197
1	2	3	4	5	6	7

Prepared by

Checked by

Authenticated.

FORM II

[See rule 11(2)]

NOTICE OF ELECTION PROGRAMME

Notice is hereby given that:—

- (1) *an election is to be held for electing a Pradhan/Up-Pradhan from a Gram Sabha and one Panch from each of the constituencies of the Gram Sabhas shown in the Table given below item 2 hereinafter provided;
- (2) nomination paper may be delivered by a candidate or his proposer on any day (other than a public holiday) to the officer appointed as Returning Officer/Assistant Returning Officer and shown in the Table and at the place, date and time mentioned in the said Table given below:—

TABLE

.....(Block) in.....(Tehsil) of.....District.

Serial No.	Name of Gram Sabha	Name or No. of the Constituency	Officer before whom nomination papers may be presented	Place	Date(s)	Time
1	2	3	4	5	6	7

- (3) form of nomination paper may be obtained from the respective Gram Panchayat Office or from the officer specified in column 4 and at the place and time specified in columns 5 and 7 of the Table above;
- (4) the nomination papers will be taken up for scrutiny by the officer specified in column 4 and at the place specified in column 5 of the Table above at..... (hours) on.....(date);
- (5) notice of withdrawal of candidature may be delivered by a candidate or his proposer duly authorised in writing by the candidate for the purpose to the officer specified in column 4 and at the place specified in column 5 of the Table above upto..... (hours) on.....(date).....;
- (6) the symbol to the contesting candidates shall be allotted by the officer specified in column 4 of the Table above immediately after the expiry of time fixed for the withdrawal of candidature and the list of contesting candidates will be affixed outside his office;
- (7) in the event of election being contested, the poll and counting of votes will take place in accordance with the programme given in the Table below. The Poll will be taken between the hours of..... to.....

TABLE

.....(Block) in.....(Tehsil) of.....(District).

Sl. No.	Name of Gram Sabha	Name or No. of the Constituency	Date of poll	Place of counting	Date and time of counting
1	2	3	4	5	6

(8) the result will be declared immediately after completion of counting.

Place.....

Deputy Commissioner.

Date.....

*Strike off which is not applicable.

FORM III
[See rule 12 (2)]

NOMINATION PAPER FOR THE ELECTION OF PANCHES

Election to the Gram Panchayat from..... (Constituency) of.....
..... (Gram Sabha).

I nominate as a candidate for election of a Panch to the above Constituency;

Candidate's Name.....

Father's or Husband's Name.....

Postal address.....

His name is entered at serial No..... in the electoral roll for.....
Constituency.

My name is entered at serial No..... in the electoral roll for.....
Constituency.

Date.....

Signature of Proposer.

I the above mentioned candidate, assent to this nomination
and hereby declare that;

(a) I have completed.....years of age;

*(b) I further declare that I am a member of the.....Caste/which is a Scheduled Caste of the State.

Date.....

Signature of Candidate.

*Strike off, if not appropriate.

(To be filled in by the Returning Officer)

Serial No. of nomination paper.....

This nomination paper was delivered to me at.....(Place) at.....
(Hours) on.....(date) by the.....*candidate/proposer.

Date.....

Returning Officer.

*Score out the words not applicable.

(Decision of the Returning Officer accepting or rejecting the nomination papers).

I have examined this nomination paper in accordance with law and decided as follows:—

Dated

Returning Officer.

The nomination paper of the above candidate has neither been rejected nor he has withdrawn his candidature and therefore:

.....(Name of symbol) is hereby allotted.

Dated.....

Returning Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE OF SCRUTINY AND WITHDRAWAL

(To be handed over to the person presenting this nomination paper)

Serial No. of nomination paper.....

The nomination paper of.....a candidate for election from.....
Constituency of.....Gram Sabha delivered to me at my office at.....
(hour) on.....(date) by the *candidate/proposer. All nomination
papers will be taken up for scrutiny at.....(hour) on.....(date)
at.....(place).

The candidature may be withdrawn upto.....(hour) on.....
(date). The symbol may be allotted immediately after the expiry of time fixed for withdrawal.

Date.....

Returning Officer.

*Score out the word not applicable.

FORM IV

[See rule 12(2)]

NOMINATION PAPER FOR THE ELECTION OF PRADHANS

Election to the Gram Panchayat from..... Gram Sabha.

I, nominate as a Candidate for election of Pradhan to the above Gram Sabha ;

Candidate's name.....

Father's or Husband's name.....

Postal address.....

His name is entered at serial No..... in the electoral roll for.....
Constituency.

My name is entered at Serial No..... in the electoral roll for.....
Constituency.

Date.....

Signature of Proposer.

I..... the above mentioned candidate, assent to this nomination
and hereby declare that:—

(a) I have completed..... years of age;

*(b) I, further declare that I am a member of the..... Caste
which is a Scheduled Caste of the State.

Signature of Candidate.

*Strike off if not appropriate.

(To be filled in by the Returning Officer)

Serial No. of nomination paper.....

This nomination paper was delivered to me at..... (place)
at..... (hours) on..... : (date) by the.....
*Candidate/Proposer.

Date.....

Returning Officer.

*Score out the words not applicable.

(Decision of the Returning Officer accepting or rejecting the nomination papers).

I have examined this nomination paper in accordance with law and decide as follow:—

Date.....

Returning Officer.

The nomination paper of the above candidate has neither been rejected nor he has withdrawn his candidatures and therefore:—

.....(Name of Symbol) is hereby allotted.

Date.....

Returning Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE OF SCRUTINY AND WITHDRAWAL

(To be handed over to the person presenting the nomination paper)

Serial No. of nomination paper.....

The nomination paper of.....a candidate for election of Pradhan from.....Gram Sabha delivered to me at my office at.....(hour) on.....(date) by the *candidate/proposer. All nomination papers will be taken up for scrutiny at.....(hour) on.....(date) at.....(place).

The candidature may be withdrawn upto.....(hour) on.....(date). The symbol may be allotted immediately after the expiry of time fixed for withdrawal.

Date.....

Returning Officer.

FORM V

[See rule 12(2)]

NOMINATION PAPER FOR THE ELECTION OF UP-PRADHAN

Election to the Gram Panchayat from.....Gram Sabha.

I, nominate as a candidate for election of an Up-Pradhan to the above Gram Sabha:

Candidate's name.....

Father's or Husband's name.....

Postal address.....

His name is entered at serial No.....in the Electoral roll for.....Constituency.

My name is entered at serial No.....in the electoral roll for.....Constituency.

Date.....

Signature of Proposer.

I.....the above mentioned candidate, assent to this nomination and hereby declare that:—

(a) I, have completed.....years of age;

* (b) I, further declare that I am a member of the.....Caste which is
*Scheduled Caste of the State.

Signature of Candidate.

*Strike off if not appropriate.

(To be filled in by the Returning Officer)

Serial No. of nomination paper.....

This nomination paper was delivered to me at.....(place) at.....
(hours) on.....(date) by the.....
*Candidate/Proposer.

Date.....

Returning Officer.

*Score out the words not applicable.

(Decision of the Returning Officer accepting or rejecting the nomination paper is).

I have examined this nomination paper in accordance with law and decide as follow:—

Date.....

Returning Officer.

The nomination paper of the above candidate has neither been rejected nor he has withdrawn his candidature and therefore:—

.....(Name of Symbol) is hereby allotted.

Date.....

Returning Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE OF SCRUTINY AND WITHDRAWAL

(To be handed over to the person presenting the nomination paper)

Serial No. of nomination paper.....

The nomination paper of.....a candidate for election of Up-Pradhan
from.....Gram Sabha delivered to me at my Office at.....
(hour) on.....(date) by the *Candidate/Proposer. All nomination papers
will be taken up for scrutiny at.....(hour) on.....
(date) at.....(place).

The candidature may be withdrawn upto..... (hour) on.....
(date). The symbol may be allotted immediately after the expiry of time fixed for withdrawal.

Date.....

Returning Officer.

FORM VI
[See rule 15(1)]

NOTICE OF WITHDRAWAL FROM ELECTION TO THE OFFICE OF PANCHES,

Election to the Gram Panchayat from..... Constituency of.....
..... Gram Sabha.

To
The Returning Officer,

.....
.....
.....

I,..... a candidate nominated at the above election for the office of Panch
do hereby give notice that I withdraw my candidature.

Place.....

Signature of candidate.

Date.....

This notice was delivered to me at my office at.....
(hours) on..... (date) by the candidate/proposer as per authority enclosed!

Returning Officer.

RECEIPT FOR NOTICE OF WITHDRAWAL

(To be handed over to the person delivering the Notice)

The notice of withdrawal of candidature by..... (name) a candidate
at the election to the Gram Panchayat from.....
..... Constituency of..... Gram Sabha was delivered
to me by the*..... at my office at..... (hours)
on..... (date).

Returning Officer.

* Here insert one of the following alternatives as may be appropriate.

(1) Candidate.

(2) Candidate's proposer who has been authorised in writing by the candidate to deliver
it.

FORM VII

[See rule 15 (1)]

NOTICE OF WITHDRAWAL FROM ELECTION TO THE OFFICES OF PRADHANS/
UP-PRADHANS

Election to the Gram Panchayat from Gram Sabha

To

The Returning Officer,

.....
.....

I, a candidate nominate at the above election for the office of Pradhan/
Up-Pradhan, do hereby given notice that I withdraw my candidature.

Place

Signature of candidate.

Date

This notice was delivered to me at my office at (hours) on
(date) by the Candidate/Proposer as per authority enclosed.

Returning Officer.

RECEIPT FOR NOTICE OF WITHDRAWAL

(To be handed over to the person delivering the notice)

The notice of withdrawal of candidature by (name) a
candidate at the election to Pradhan/Up-Pradhan to the Gram Sabha was delivered to me by the*
..... at my office at (hours) on
(date).

Returning Officer.

.....
.....

*Here insert one of the following alternatives as may be appropriate.

(1) Candidate.

(2) Candidate's proposer who has been authorised in writing by the candidate to deliver it.

FORM VIII

[See rule 16 (1 and 3)]

LIST OF CONTESTING CANDIDATES FOR THE OFFICE OF PANCH

Election to the Gram Panchayat from Constituency of
Gram Sabha,

Serial No.	Name of candidate	Address of candidate	Scheduled caste	Symbol allotted
1	2	3	4	5

Returning Officer.

Place.....

Date.....

FORM-IX

[See rule 16 (1 and 3)]

LIST OF CONTESTING CANDIDATES FOR THE OFFICES OF PRADHAN/
UP-PRADHAN

Election to the office of Pradhan/Up-Pradhan to Gram Panchayat Gram
Sabha.....

Serial No.	Name of candidate	Address of candidate	Symbol allotted
1	2	3	4

Place.....

Date.....

Returning Officer.

FORM-X

(See rules 17 & 42)

DECLARATION IN *UNCONTESTED/CONTESTED ELECTION FOR THE OFFICE
OF PANCH

Declaration of the result of election to the Gram Panchayat from.....
Constituency of.....Gram Sabha.

In pursuance of the provisions contained in rule 17 or 42 of the Himachal Pradesh Gram
Panchayat (Election) Rules, 1978, I declare that:—

..... (Name)

.....(Address)

has been duly elected to fill a seat in the Gram Panchayat from the above constituency of the
above Gram Sabha.

Place.....

Date.....

.....
(Signature)
Returning officer.

*Strike off which is inappropriate.

FORM XI

(See rule 17 & 42)

DECLARATION IN UNCONTESTED/CONTESTED ELECTION FOR THE OFFICE
OF PRADHAN/UP-PRADHAN

Declaration of the result of election of Pradhan/Up-Pradhan to the Gram Panchayat of.....
Gram Sabha.

In pursuance of the provisions contained in rule 17 or 42 of the Himachal Pradesh Gram
Panchayat (Election) Rules, 1978, I declare that:—

.....(Name)

.....(Address)

has been duly elected to fill a seat of Pradhan/Up-Pradhan to the above Gram Sabha.

Place.....

Date.....

(Signature).....

Returning Officer.

.....

.....

*Strike off which is inappropriate.

FORM-XII

[See rules 20 (3) & 41 (4)]

PART-I

BALLOT PAPER ACCOUNT FOR THE ELECTION OF PANCH

Election to the Gram Panchayat From.....Constituency.....
Gram Sabha.

No. and Name of polling station.....

Serial Number

Total Number

- | | |
|--|----|
| 1. Ballot papers received | .. |
| 2. Ballot papers not used | .. |
| 3. Ballot papers issued to voters | .. |
| 4. Ballot papers cancelled | .. |
| 5. Number of tendered votes cast
at the polling booth | .. |

Date:.....

Signature of Presiding Officer.

PART-II

RESULT OF COUNTING

Name of candidate
1

Number of valid votes cast
2

Rejected ballot papers

Total No. of ballot papers found in the ballot box(es)

Date

Signature of Returning Officer.

.....

.....

PART-III

DECLARATION OF RESULT

I declare that

.....(Name)

of.....(Address)

has been duly elected to fill the seat in the Gram Panchayat from the above constituency of the Gram Sabha.

Place.....

Returning Officer.

Date.....

FORM XIII

[See rule 20(3)]

PART-I

BALLOT PAPER ACCOUNT FOR THE ELECTION OF PRADHAN

Election of Pradhan to the Gram Panchayat.....Gram Sabha.

No. and name of Constituency/Polling booth.....

No. and name of Polling Station.....

	Serial No.	Total Number
1. Ballot papers received		
2. Ballot papers not used		
3. Ballot papers issued to voters		
4. Ballot papers cancelled		
5. Number of tendered votes cast at the polling booth		

Date.....

Signature of Presiding Officer.

PART-II

RESULT OF INITIAL COUNTING

1. Total number of ballot papers found in the ballot box(es) used at the polling booth.....

2. Discrepancy, if any.....

Signature of Returning Officer.

FORM XIV

[See rule 20(3)]

PART-I

BALLOT PAPER ACCOUNT FOR THE ELECTION OF UP-PRADHAN

Election of Up-Pradhan to the Gram Panchayat of.....Gram Sabha.

No. and name of Constituency/Polling booth.....

No. and name of Polling Station.....

Serial No.

Total Number

- | | | |
|---|----|----|
| 1. Ballot papers received | .. | .. |
| 2. Ballot papers not used | .. | .. |
| 3. Ballot papers issued to voters | .. | .. |
| 4. Ballot papers cancelled .. . | .. | .. |
| 5. Number of tendered votes cast at the Polling booth | .. | .. |

Date.....

.....
Signature of Presiding Officer.

PART-II

RESULT OF INITIAL COUNTING

1. Total number of ballot papers found in the ballot box(es) used at the polling booth.....
2. Discrepancy, if any.....

*Signature of Returning Officer/
Assistant Returning Officer.*

FORM XV
[See rule 31(2)]

LIST OF TENDERED VOTES

Election to the Gram Panchayat from.....Constituency
of.....Gram Sabha.

Polling booth.....

Sr. No. and Name of elector	Address of elector	Serial Nos. of tendered ballot papers	Serial Nos. of ballot papers issued to the person who has already voted	Signature/thumb impression of per- son tendering votes
1	2	3	4	5

Date.....

Signature of Presiding Officer.

FORM XVI
(See rule 32)

LIST OF CHALLENGED VOTES

Election to the Gram Panchayat from.....Constituency
of.....Gram Sabha.

Serial No. of entry in the electoral roll	Name and address	Signature of voters, if literate or thumb impres- sion of voter, if illiterate	Name of identifier if any	Name of challenger	Order of Presiding Officer in each case
1	2	3	4	5	6
1. ..					
2. ..					
3.					
4. ..					
etc.					

Date.....

Signature of Presiding Officer.

FORM XVII

RESULT SHEET

[See rule 41(4) & 42(2)]

PART-I

Election of Pradhan/Up-Pradhan to the Gram Panchayat
 Constituency of.....Gram Sabha.

Name of candidate	Number of valid votes cast
1	2
1.	
2.	
3.	
4.	
etc.	

Rejected ballot papers.....

Total No. of ballot papers found in the ballot boxes.....

Signature of the Returning Officer.

PART-II

DECLARATION OF RESULT

I declare that:—

.....(Name)

.....(Address)

has been duly elected to fill the seat of Pradhan/Up-Pradhan in the Gram Panchayat of above Gram Sabha.

Place.....

Date.....

Returning Officer.

FORM XVIII

[See rule 56 (2)]

I,.....the petitioner in the accompanying election petition calling in question the election of Shri/Shrimati..... from.....(Constituency) of..... (Gram Sabha) respondent No..... in the said petition make solemn affirmation/oath and say—

(a) that the statements made in paragraphs.....of the accompanying election petition about the commission of corrupt practice of*..... and the particulars of such corrupt practice mentioned in paragraphs..... of the same petition and in paragraphs.....of the Schedule annexed thereto are true to my knowledge.

(b) that the statement made in paragraphs.....of the said petition about the commission of the corrupt practice of*.....and the particulars of such corrupt practice given in paragraphs.....of the said petition and in paragraphs.....of the Schedule annexed thereto are true to my knowledge.

(c)

(d)

etc.

Signature of deponent.

Solemnly affirmed/sworn by Shri/Shrimati.....at this day of.....197 .

Before me,

Executive Magistrate.

*Here specify the name of the corrupt practice.

By order,
H. S. DUBEY,
Secretary (Elections).

